

Koelth, J

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SCHUTTE BAGCLOSURES INC.,)
)
Plaintiff,)
v.)
KWIK LOK CORPORATION,)
Defendant.)
) Case No. 12-cv-5541 (JCK)
) STIPULATED REQUEST AND
) [PROPOSED] ORDER FOR
) EXTENSION OF DEADLINES
) CONTAINED IN THE COURT'S
) SCHEDULING ORDER DATED
) OCTOBER 18, 2012 (DE 11)
)

Plaintiff Schutte Bagclosures Inc. ("Plaintiff"), by and through their undersigned attorneys, and defendant Kwik Lok Corporation ("Defendant"), by and through their undersigned attorneys, do hereby stipulate to request to extend the deadlines contained in the Court's Scheduling Order dated October 18, 2012 (DE 11), as follows:

If the Plaintiff does not file an amended complaint, the Plaintiff's response to the Defendant's Motion to Dismiss dated October 5, 2012 (DE 7) should be filed by November 27, 2012. The Defendant's reply, if any, should be filed by December 7, 2012.

If the Plaintiff files an amended complaint on or before November 27, 2012, Defendant's Motion to Dismiss dated October 5, 2012 (DE 7) is denied without prejudice as moot and the time to move to dismiss or answer the amended complaint is extended to fourteen days after service of the amended complaint.

If the Defendant files a renewed motion to dismiss, the Plaintiff's response is due fourteen days after service of the motion. The Defendant's reply, if any, is due ten days after service of the response.

One prior request has been made for an extension of deadlines contained the Court's Scheduling Order dated October 18, 2012. Specifically, the parties previously requested

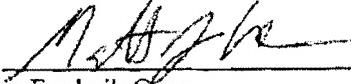
extension of the deadlines contained in the Court's Scheduling Order dated September 27, 2012 (DE 6).

The deadline for Plaintiff's response to Defendant's Motion to Dismiss (or its filing of an amended complaint) was October 29, 2012 which was extended to November 5, 2012 by Chief U.S.D.J. Preska's October 31, 2012 Order regarding the Extension of Certain Deadlines in Civil Cases as a Result of Hurricane Sandy and Court Closure. This extension is not being entered for the purpose of delay, but rather to provide the parties an opportunity to discuss settlement.

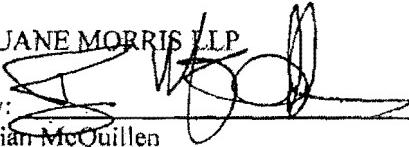
Dated: New York, New York
November 5, 2012.

Respectfully submitted,

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Attorneys for Defendant Kwik Lok Corporation

SO ORDERED:


U.S.D.J.
11/7/12 